

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No.	CV 22-5742 PA (SKx)	Date	March 2, 2023
Title	Jorge Alejandro Rojas v. Owner of Telephone Number 424-234-2076		

Present: The Honorable	PERCY ANDERSON, UNITED STATES DISTRICT JUDGE		
Kamilla Sali-Suleyman	N/A		N/A
Deputy Clerk	Court Reporter		Tape No.
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants:	
None		None	

**Proceedings:** IN CHAMBERS—COURT ORDER

Absent a showing of good cause, an action must be dismissed without prejudice if the summons and complaint are not served on a defendant within 90 days after the complaint is filed. Fed. R. Civ. P. 4(m).

In the present case, it appears that this time period has not been met as to defendant Valeriano Valdovinos (“Valdovinos”). Accordingly, the Court, on its own motion, orders Plaintiff to show cause in writing on or before **March 9, 2023**, why Valdovinos should not be dismissed for lack of prosecution. Pursuant to Rule 78 of the Federal Rules of Civil Procedure, the court finds that this matter is appropriate for submission without oral argument. The Order to Show Cause will stand submitted upon the filing of Plaintiff’s response. Failure to respond to this Order may result in the imposition of sanctions, including but not limited to dismissal of the First Amended Complaint.

The Court also notes that, because the Clerk has already entered the default of defendant CSC Business Solutions, LLC, if Plaintiff were to dismiss his claims against defendant Valdovinos, Plaintiff would then be permitted to file a Motion for Default Judgment.

IT IS SO ORDERED.